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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,035	06/26/2001	Topi Koskinen	324-010440-US(PAR)	1830

2512 7590 03/22/2007

PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER	
ELAHEE, MD S	
ART UNIT	**PAPER NUMBER**
2614	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/892,035	KOSKINEN ET AL.	
	Examiner	Art Unit	
	Md S. Elahee	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 December 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,12-14,16-30,40-42 and 44-58* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 12-14, 16-30, 40-42 and 44-58* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 12/22/2006. Claims 1, 12-14, 16-30, 40-42 and 44-58 are pending. Claims 2-11, 15, 31-39, 43 and 59-112 have been already cancelled.

Response to Arguments

2. Applicant's arguments filed on 12/22/2006 Remarks have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1,12-14,16-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "the device" in line 17 of the claim is indefinite. The claim has two devices in lines 2 and 10. It is unclear what device is being referred by the phrase.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1, 12-13, 16-20, 22, 24-30, 40-41, 44-48, 50 and 52-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Minneman et al. (U.S. Patent No. 6,243,740).

Regarding claims 1, 30 and 58, with respect to Figures 1, 2, Wynblatt teaches an electronic system comprising:

a local agent 28 [i.e., first electronic device] comprising a device for implementing a virtual noticeboard, and a first radio device for implementing data transmission transmitting information from the virtual noticeboard to a mobile information terminal 26 [i.e., second portable electronic device], and the context in the virtual notice board is arranged to be transmitted to the second portable electronic device located within a geographically limited coverage area of the first radio device (fig.2; col.1, lines 66, 67, col.2, lines 1-8, 35-44, 49-66, col.3, line 66-col.4, line 8, col.4, lines 23-26, 49-62, col.5, lines 11-17);

the second portable electronic device comprising a second radio device for implementing the data transmission transmitting information from the virtual noticeboard to the second portable electronic device, a device for processing information received from virtual noticeboard and a selecting device for selecting reception of the virtual noticeboard (col.1, lines 66, 67, col.2, lines 1-8, 35-44, col.3, line 66-col.4, line 8, col.4, lines 23-26, 49-62, col.5, lines 11-17);

wherein the first electronic device is portable user equipment in a mobile telephone system, the first radio device is arranged to implement data transmission with regard to the virtual noticeboard such that a information [i.e., new message, a reply and/or a comment] is received from the second portable electronic device, the information [i.e., said new message, the reply and/or the comment] comprises text (col.5, lines 18-33) and the device for implementing the virtual noticeboard is arranged to provide information in the virtual noticeboard (col.4, lines 23-26, 49-62, col.5, lines 11-17, 32, 33, 37-61, 62); and

Wynblatt does not specifically teach "display the new messages, the reply and/or the comment in the virtual noticeboard". Minneman teaches displaying the responses [i.e., new messages, the reply and/or the comment] in the billboard [i.e., virtual noticeboard] (fig.2,5,8;

col.6, lines 1-14, 23-56). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wynblatt to incorporate the feature of displaying responses from a user by the billboard in order to transmit particular feedback directly to the agent.

Regarding claims 12, 40, Wynblatt teaches that the second device is portable user equipment in the mobile telephone system (fig.2; col.2, lines 39, 40, col.3, lines 1-4).

Regarding claims 13, 41, Wynblatt teaches that the radio means are a short-range radio transceiver in the mobile telephone system (fig.2).

Regarding claims 16, 44, Wynblatt teaches that the virtual noticeboard is bound to the first electronic device (col.4, lines 23-26, 49-62, col.5, lines 11-17).

Regarding claims 17, 45, Wynblatt teaches that the virtual noticeboard is inherently a personal noticeboard of the user of the first device (col.4, lines 23-26, 49-62, col.5, lines 11-17).

Regarding claims 18, 46, Wynblatt teaches that the selecting means are arranged to show the virtual noticeboards received by the second radio means, to select the virtual noticeboards desired by the user, and to request the first device to transmit the selected piece of information from the virtual noticeboard (col.5, line 64-col.6, line 16).

Regarding claims 19, 47, Wynblatt teaches that the first device comprises means for automatically transmitting information on the virtual noticeboard to all second devices located in the coverage area (col.5, line 64-col.6, line 16).

Regarding claims 20, 48, Wynblatt teaches that the selecting means are used for selecting whether or not to receive the information on the virtual noticeboard automatically transmitted by the first device (col.4, lines 23-26, 49-62, col.5, lines 11-17).

Regarding claims 22, 50, Wynblatt teaches that the second device comprises means for determining whether to include contact information in the reply information transmitted to the first device or whether to keep the second device anonymous (col.5, line 63-col.6, line 16).

Regarding claims 24, 52, Wynblatt teaches that the second device comprises means for transmitting the information retrieved from the virtual noticeboard of the first device to the application processing the information (fig.2; col.3, lines 1-4).

Regarding claims 25, 53, Wynblatt teaches that the application processing the information is communication software enabling data transmission from the second device with a party determined in the retrieved information (fig.2; col.3, lines 1-4).

Regarding claims 26, 54, Wynblatt teaches that the information on the virtual noticeboard of the first device is only transmitted to such second devices which meet predetermined conditions for use (col.3, line 66-col.4, line 8).

Regarding claims 27, 55, Wynblatt teaches that the conditions for use are based on membership in a group or on a particular user profile (fig.2; col.3, lines 1-4).

Regarding claims 28, 56, Wynblatt teaches that the transmitted information on the virtual noticeboard is text and/or voice and/or images and/or moving video image (fig.2; col.3, lines 1-4).

Regarding claims 29, 57, Wynblatt teaches that the context, in addition to location, also comprises time (col.5, lines 49-62).

7. Claims 14, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Minneman et al. (U.S. Patent No. 6,243,740) further in view of Emilsson (International Pub. No. WO 98/59506).

Regarding claims 14, 42, Wynblatt in view of Minneman does not specifically teach "as a protocol, the radio means use a short message service, WAP (Wireless Application Protocol), wireless local area network, GSM data call or GPRS (General Packet Radio Service), or another wireless radio system protocol". Emilsson teaches that as a protocol, the radio means use a short message service, WAP (Wireless Application Protocol), wireless local area network, GSM data

call or GPRS (General Packet Radio Service), or another wireless radio system protocol (abstract; fig.1; page 2, lines 19-28, page 3, lines 1-5, 8-12, page 7, lines 15-21, page 8, lines 12-25, page 9, lines 1-5, 10-14). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wynblatt in view of Minneman to incorporate as a protocol, the radio means use a short message service, WAP (Wireless Application Protocol), wireless local area network, GSM data call or GPRS (General Packet Radio Service), or another wireless radio system protocol as taught by Emilsson. The motivation for the modification is to have doing so in order to transmit information without having any inconvenience.

8. Claims 21, 49, are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Minneman et al. (U.S. Patent No. 6,243,740) further in view of Coad et al. (U.S. Patent No. 5,966,652).

Regarding claims 21, 49, Wynblatt teaches that the first device comprises means for providing traffic updates, weather reports and public emergency reports etc. to user (col.6, lines 17-25). However, Wynblatt in view of Minneman does not specifically teach "the first device comprises means for determining whether to automatically include contact information in the information transmitted to the second devices". Coad teaches that means for determining whether to automatically include contact information in the information transmitted to the second devices (col.6, lines 10-17). Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to modify Wynblatt in view of Minneman to incorporate the first device comprising means for determining whether to automatically include contact

information in the information transmitted to the second devices in order to insert telephone number so that the user can make a contact with the designated area for the desired information.

9. Claims 23, 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Minneman et al. (U.S. Patent No. 6,243,740) further in view of Kailamaki et al. (U.S. Patent No. 2002/0029197).

Regarding claims 23, 51, Wynblatt teaches means for retrieving documents from its virtual noticeboard (col.5, lines 7, 8). However, Wynblatt in view of Minneman does not specifically teach "the first device comprises means for calculating how many times a certain piece of information has been retrieved". Kailamaki teaches means for calculating how many times a certain piece of information has been retrieved (page 4, paragraph 0056). Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to modify Wynblatt in view of Minneman to incorporate means for calculating how many times a certain piece of information has been retrieved in order to keep record for billing.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ME

MD SHAFIUL ALAM ELAHEE
March 18, 2007

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